



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
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<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

January 10, 2013

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in dark ink, appearing to read "W. T. Fujioka", is written over the printed name and title.

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

CLEAN WATER, CLEAN BEACHES FEE, AGENDA OF DECEMBER 11, 2012

On December 11, 2012, the Board requested the Chief Executive Officer, Registrar-Recorder/County Clerk, and the Director of Public Works to meet with Supervisor Antonovich to discuss protest ballot issues relating to the Clean Water, Clean Beaches Measure; and further, as requested by Supervisor Knabe, provide information about the feasibility of online protesting. On January 7, 2012, the departments above and County Counsel met with Board deputies representing Supervisor Antonovich and Supervisor Knabe. The major points of discussion from that meeting are as follows:

Background on Protest Hearing Notice

Public Works provided the following background information on the Protest Hearing Notice:

- Current law requires that written notice be provided to property owners indicating estimated fee amounts for their respective parcels and the date and location of the protest hearing on the Fee.
- The Los Angeles County Flood Control District's (District) written notice also included a protest form to facilitate written protests by property owners opposing the Fee. The form was printed with a scanning code to allow the District's contract vendor to validate the parcel(s), maintain an accurate count of protests, and ensure a more efficient tabulation process.

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- Property owners are not required to use the form to register their protest of the Fee; as indicated in the notice, property owners could write a letter indicating their protest as long as they properly identify the Assessor's Parcel Number, Owner's name, and parcel address and sign the document. Property owners can also drop off their protest forms in person at the Executive Office ballot box.

Drop-off Locations

Issue: Why aren't there drop-off locations for protest forms/letters throughout the County?

Response:

- There is no legal requirement for a drop-off location for written protests, however, as a courtesy to constituents, the District has a drop-off box at the Executive Office of the Board.
- Limiting the number of drop-off locations was necessary because:
 1. Providing adequate security and implementing chain of custody procedures aimed at deterring voter fraud would be very labor intensive over a 45-day protest period.
 2. Implementing and managing numerous drop-off locations would be costly.
 3. The District believed that the majority of protests would be received via mail.

Submission of Electronic Protests

Issue: Why couldn't protest forms/letters be submitted electronically? Can it be done at this point?

Response:

The District determined that online electronic protest forms/letters would present several challenges and obstacles, including:

- Property Owner Validation – The District indicated that it could not validate whether online protests submitted electronically were submitted by the appropriate property owner, and therefore determined a traditional mail-in process

was in the best interest of the County. Additionally, the Registrar-Recorder/County Clerk (Registrar) indicated that online voting is not currently authorized or utilized in California, or in other registered voter elections in the country. Distinct from online voting, the Registrar does provide online services for voter registration, vote by mail ballot requests and related services. Online voter registration is accomplished through validation of applicant data through the California Department of Motor Vehicles (DMV). The Registrar does not have experience with protests as that is not part of the elections process in registered voter elections.

- Expertise and Time - Since an online procedure for submitting protest forms/letters or voting in an election of this magnitude has never been undertaken before, developing such a process, especially the required information technology solutions, would require a significant investment of time and resources to enable an efficient, effective, and legally defensible outcome.
- Cost – Whether developed in-house or through a contract vendor, the District would incur a substantial cost in developing the process for handling electronic protests.

Considering the above issues, the District concluded that a traditional mail-in process would be most optimal for property owners to submit their formal protest forms/letters to the Fee.

Extension of Protest Period

Issue: Is it possible to extend the protest period to provide more public outreach and ensure that property owners have had sufficient time to submit written protests?

Response:

- At the January 15, 2013 public hearing for the Fee, the Board has the discretion of closing the protest period or continuing it to a later date. Public Works is recommending that the Public Hearing be closed on January 15, 2012 following constituent testimony.
- Subsequent to the January 15, 2013 public hearing, the District plans to file a Board letter with its final recommendation. At that time, if the District recommends proceeding with an election, the District will provide the Board with the following:
 1. The number of protests received
 2. A summary of the protest issue(s)

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3. Ballot language

4. Ballot materials

In conclusion, the District will continue to work with the contract election administrator to tally written protests received through January 15, 2013, though a final, validated total may not be available on that date. As directed by the Board, the Registrar will oversee tabulation of the votes in the case of an election and provide guidance to the District and their consultant, as appropriate.

If you have any questions, please contact me, or your staff may contact Rita Robinson at (213) 893-2477, or via email at rrobinson@ceo.lacounty.gov.

WTF:RLR:DSP
BK:acn

c: Executive Office, Board of Supervisors
County Counsel
Public Works
Registrar-Recorder/County Clerk